



P21290.P05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Takumi IKEDA et al.

Appln No : 09/911,873

Filed : July 25, 2001

For : TRANSMITTING AND RECEIVING SYSTEM, TRANSMITTING APPARATUS
AND RECEIVING APPARATUS

Office of Initial
Patent Examination
Customer Service Center

COVER LETTER

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Notice to file Missing Parts of Application Filing Date Granted (copy attached) of August 30, 2001, (and further to the Petition To Withdraw Notice Of Omitted Items filed on October 30, 2001), the period for response being set to expire October 30, 2001 and being extended by one month to November 30, 2001, please find enclosed:

- an executed Declaration and Power of Attorney;
- a Verified English Translation of the application as originally filed (165 pages of specification with abstract and 75 sheets of drawings).

Also enclosed is:

- a Request for Extension of Time;
- a Preliminary Amendment;
- a Claim of Priority together with Certified copies of Japanese application Nos. 2000-232760 and 2001-219506; and

- a check in the amount of \$3,900.00 of which \$130.00 is payment of the surcharge for late filing of the declaration, \$740.00 is payment for the basic filing fee, \$130.00 is payment for the Non-English specification fee, \$522.00 is payment for the extra claims over twenty, \$2,268.00 is payment for the extra independent claims over three, and \$110.00 is payment for the extension of time.

The Commissioner is hereby authorized to charge any additional fee, or credit any overpayment to Deposit Account No. 19-0089.

Respectfully submitted,
Takumi IKEDA et al.

Bruce H. Bernstein Reg. No. 33,329
Bruce H. Bernstein
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November 23, 2001
GREENBLUM & BERNSTEIN, P.L.C.
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,873	07/25/2001	Takumi Ikeda	P21290

7055
GREENBLUM & BERNSTEIN, P.L.C.
1941 ROLAND CLARKE PLACE
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CONFIRMATION NO. 4206

FORMALITIES LETTER



OC000000006499743

11/26/2001 SFELEKE1 00000065 09911873

01 FC:101	740.00 OP
02 FC:102	2260.00 OP
03 FC:103	522.00 OP
04 FC:105	130.00 OP
05 FC:139	130.00 OP

Date Mailed: 08/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 970.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

The following item(s) appear to have been **omitted** from the application.



- Page(s) 47 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE